

BMS

24

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

EDWARD BRACEY,

Petitioner,

v.

JEFFREY BEARD, et al.,

By

Respondents,

FILED

MAY 27 2003

MICHAEL E. KUNZ, Clerk

Dep. Clerk

CIVIL ACTION (HABEAS CORPUS)

No. 02-CV-3685

Hon. Berle M. Schiller

This is a capital case

**UNOPPOSED MOTION FOR AN EXTENSION OF
30-DAYS, DUE TO UNFORESEEN CIRCUMSTANCE, TO FILE
PETITIONER'S MEMORANDUM**

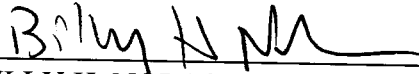
Petitioner, through undersigned counsel, moves for an extension of 30-days to file Petitioner's memorandum herein. This motion is not opposed by counsel for Respondents, who has no objection. In support, Petitioner submits:

1. Petitioner's memorandum in this habeas corpus action is due on Monday, June 2, 2003.
2. Undersigned Petitioner's counsel, however, was selected for jury service in a civil case in the Court of Common Pleas, Philadelphia County. The trial, we were informed, will last into the month of June.
3. Given this unforeseen circumstance, Petitioner respectfully moves for a 30-day extension to file his memorandum of law herein. Counsel shall not be available during the time of his jury service.

4. This matter was discussed with counsel for Respondents, Thomas Dolgenos, Esquire, of the Philadelphia District Attorney's Office. Respondents' counsel has no objection or opposition to this motion, and authorized this representation on his behalf.

WHEREFORE, Petitioner respectfully requests that the Court grant this 30-day extension for the reasons stated herein. (A proposed order accompanies this motion, for the Court's convenience).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Billy H. Nolas", written over a horizontal line.

BILLY H. NOLAS

Capital Habeas Corpus Unit
Federal Court Division
Defender Association of Philadelphia
437 Chestnut Street, Suite 510
Philadelphia, Pa. 19106-2414
215-928-0520

Dated: May 27, 2003

CERTIFICATE OF SERVICE

I, Billy H. Nolas, hereby certify that on this 27 day of May, 2003, I caused the foregoing *Unopposed Motion For An Extension of 30-Days , Due To Unforeseen Circumstance, To File Petitioner's Memorandum* to be served on the following person by first class mail:

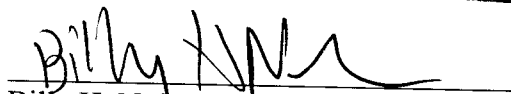
Thomas Dolgenos, Esq.
Office of the Philadelphia County District Attorney
1421 Arch Street
Philadelphia, PA 19102

FILED

MAY 27 2003

MICHAEL E. KUNZ, Clerk

By _____ Dep. Clerk


Billy H. Nolas

Dated: May 23, 2003